

river frontage of Brittlebank Park from the upper/northern U.S. highway 17 Bascule Bridge to red nun buoy "6", centering at Latitude 32°47.2'N. Longitude 78°57.8'W. The fireworks will be launched from a barge moored in the Ashley River.

(b) *Effective Date.* The safety zone becomes effective on July 4 each year at 8 p.m. EDT. It terminates at the conclusion of the fireworks display at approximately 10:30 p.m. EDT, on July 4 each year, unless sooner terminated by the Captain of the Port.

(c) *Regulation.* In accordance with the general regulations in §165.23 of this part, entry into this zone is prohibited unless authorized by the Captain of the Port, Charleston, South Carolina.

[COTP Charleston Reg. 91-13, 56 FR 30508, July 3, 1991, as amended by USCG-1998-3799, 63 FR 35532, June 30, 1998]

**§165.T07-013 Security Zone: Internal waters and territorial seas adjacent to the Florida peninsula.**

(a) *Location.* The following area is established as a security zone: All U.S. internal waters and territorial seas adjacent to the State of Florida south of the Florida-Georgia border and extending seaward three nautical miles from the baseline from which the territorial sea is measured around the Florida peninsula to the extent where the Florida panhandle and adjacent internal waters and territorial sea intersect with longitude 83°50' West. In general these are the U.S. internal waters and territorial seas adjacent to the Florida peninsula.

(b) *Applicability.* This section applies to non-public vessels less than 50 meters (165 feet) in length and all associated auxiliary vessels within the security zone, but shall not apply to foreign flagged vessels in innocent passage in the territorial sea of the United States. For the purpose of this section, an "auxiliary vessel" includes every description of watercraft or other artificial contrivance used or capable of being used as a means of transportation on water attached to, or embarked in, another vessel to which this section applies.

(c) *Regulations.* (1) The general regulations in §165.33 of this part do not apply to this security zone.

(2) Non-public vessels less than 50 meters (165 feet) in length and persons on board those vessels may not get underway from a berth, pier, mooring or anchorage in the security zone, or depart from the security zone, with the intent to enter Cuban territorial waters without express written authorization from one of the following officials or their designees; Commander, Seventh Coast Guard District; the Captain of the Port Miami; or the Captain of the Port Tampa. The aforementioned officials may issue orders to control the movement of vessels to which this section applies.

(3) Where there is an articulable basis to believe a vessel to which this section applies intends to enter Cuban territorial waters, an official referenced in paragraph (c)(2) of this section may require the master, owner, or person in charge of a vessel within the security zone, including all auxiliary vessels, to provide verbal assurance that the vessel will not enter Cuban territorial waters as a condition for a vessel to get underway from a berth, pier, mooring, or anchorage in the security zone, or depart from the security zone. In addition, an official referenced in paragraph (c)(2) may require the master, owner, or person in charge of the vessel to identify all persons on board the vessel and provide verbal assurances that all persons on board have received actual notice of the regulations in this section.

(4) The owner or person in charge of the vessel shall maintain the express written authorization for the vessel on board the vessel.

(d) *Enforcement.* (1) Vessels or persons violating this section may be subject to:

(i) Seizure and forfeiture of the vessel;

(ii) A monetary penalty of not more than \$10,000; and

(iii) Imprisonment for not more than 10 years.

(2) Violation of 18 U.S.C. 1001 may result in imprisonment for not more than five years or a fine, or both.

(e) This section implements Presidential Proclamation No. 6867. This section is issued under the authority

## § 165.714

delegated in Department of Transportation Order No. 96-3-7.

[CGD07-96-013, 62 FR 25391, May 14, 1997, CGD07-98-006, 63 FR 38477, July 17, 1998]

EFFECTIVE DATE NOTE: By CGD07-98-006, 63 FR 38477, July 17, 1998, §165.T07-013 was amended by revising the heading and paragraph (a). This is an emergency temporary rule and will terminate when the National Emergency as declared by the President in Presidential Proclamation No. 6867 terminates.

### §165.714 Regulated Navigation Area; Atlantic Ocean, Charleston, SC.

(a) *Location.* The following area is a Regulated Navigation Area: A trapezoid at the water surface, and the entire water column from surface to seabed inclusive of the vessel, bounded by the following four coordinates:

	Latitude	Longitude
Western boundary.	32°42' 56" N	79°47' 34" W
Southern boundary.	32°42' 32" N	79°46' 42" W
Eastern boundary.	32°43' 26" N	79°45' 27" W
Northern boundary.	32°43' 56" N	79°46' 08" W

(NAD 83)

(b) *Regulations.* In accordance with the general regulations in §165.23 of this part, all vessels and persons are prohibited from anchoring, diving, laying cable or conducting salvage operations in this zone except as authorized by the Captain of the Port.

[CGD 07-95-054, 60 FR 45047, Aug. 30, 1995]

### §165.720 Safety/Security Zone: St. Johns River, Jacksonville, FL.

(a) *Location.* The water and the land within the following boundaries are established as a safety and security zone during specified conditions:

(1) All waters within 200 yards of Blount Island, Jacksonville, Florida and all adjacent land within 100 yards of the island shoreline during staging of Department of Defense equipment and during the loading/unloading of military supply vessels.

(2) All waters within 200 yards of "any" waterfront facility at which a laden military vessel is located and all land at the facility, including docks

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and piers, within 100 yards of the St. Johns River.

(3) All waters within 200 yards of any specified military supply vessel during its transit of the St. Johns River and out to three (3) nautical miles offshore.

(b) *Regulations.* (1) For public notice, the zone described in paragraph (a)(1) of this section is effective beginning 11 December 1990 and will remain in force until cancelled by the Captain of the Port Jacksonville, Florida.

(2) The COTP Jacksonville may activate, as necessary, any portion of the safety/security zone described in paragraphs (a)(2) and (a)(3) of this section by means of locally promulgated broadcast notice to mariners. Once implemented, neither overtaking nor meeting situations will be allowed during specified vessel transits.

(3) In accordance with the general regulations governing safety and security zones contained in 33 CFR 165.23 and 165.33 of this part, entry into any portion of the described zone is prohibited unless authorized by the Captain of the Port Jacksonville, Florida.

(4) This regulation does not apply to authorized law enforcement agencies operating within the safety/security zone.

[COTP Jacksonville, FL Reg. 90-124, 55 FR 51700, Dec. 17, 1990]

### §165.721 Safety Zone: St. Johns River, Jacksonville, FL.

(a) *Location.* The following area is established as a safety zone during the specified conditions: The waters within a 500 yard radius of the fireworks barge or barges during the storage, preparation, and launching of fireworks in the St. Johns River between the Hart and Acosta Bridges.

(b) *Effective dates.* This section becomes effective upon activation by the Captain of the Port by the broadcasting of a local Notice to Mariners on appropriate VHF-FM radio frequencies. It terminates at the conclusion of the fireworks display unless terminated earlier by the Captain of the Port.

(c) *Regulations.* (1) In accordance with the general regulations in 165.23 of this part, anchoring, mooring or transiting in this zone is prohibited unless authorized by the Captain of the Port or District Commander.